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03
04 UNITED STATES DISTRICT COURT
05 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

06 UNITED STATES OF AMERICA,)
07 Plaintiff,) Case No. CR94-739-JCC
08 v.)
09 CHARLES NIEBUHR,) SUMMARY REPORT OF U.S.
10 Defendant.) MAGISTRATE JUDGE AS TO
ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

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12 An evidentiary hearing on a petition for violation of supervised release in this case was
13 scheduled before the undersigned Magistrate Judge on January 10, 2008. The United States was
14 represented by Assistant United States Attorney Carl Blackstone, and the defendant by Carol
15 Koller. The proceedings were digitally recorded.

16 The defendant had been charged and convicted of Felon in Possession of a Firearm in
17 violation of 18 U.S.C. §§ 922(g)(1) and 924(e). On or about May 12, 1995, defendant was
18 sentenced by the Honorable John C. Coughenour to a term of one hundred forty-five (145)
19 months in custody, to be followed by five (5) years of supervised release.

20 The conditions of supervised release included the requirements that the defendant comply
21 with all local, state, and federal laws, and with the standard conditions. Special conditions
22 imposed included, but were not limited to, participation in a substance-abuse program, no
23 possession of a firearm or destructive device; and submit to searches.

24 In a Petition for Warrant or Summons dated December 10, 2007, U.S. Probation Officer
25 Margaret K. Kellow asserted the following violation by defendant of the conditions of his
26 supervised release:

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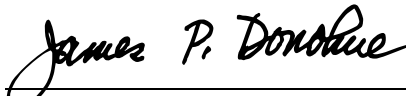
(1) Committing the crime of assault, on or about December 5, 2007, in violation of the general condition that he not commit a federal, state, or local crime.

On December 19, 2007, defendant made his initial appearance. The defendant was advised of the allegation and advised of his rights. On January 10, 2008, defendant appeared for an evidentiary hearing on the alleged violation. Defendant admitted to violation 1.

I therefore recommend that the Court find the defendant to have violated the terms and conditions of his supervised release as alleged in violation 1, and that the Court conduct a hearing limited to disposition. A disposition hearing has been set before the Honorable John C. Coughenour on January 25, 2008, at 9:45 a.m.

Pending a final determination by the Court, the defendant has been detained.

DATED this 10th day of January, 2008.


JAMES P. DONOHUE
United States Magistrate Judge

cc:	District Judge:	Honorable John C. Coughenour
	AUSA:	Mr. Carl Blackstone
	Defendant's attorney:	Ms. Carol Koller
	Probation officer:	Ms. Margaret K. Kellow